IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.147 OF 2005

IN

LETTERS PATENT APPEAL NO.127 OF 2005

IN

WRIT PETITION NO.3851 OF 2005

DHL Worldwide Express (India)
Pvt. Ltd. & anr. ..Applicants.

Vs.

AFL-DHL Employee Union ..Respondent.

...

Mr.J.P.Cama with Mr.Sandesh Deshpande i/b M/s.Haresh Mehta & Co. for the Applicants.

Mr.Sudhir Talsania with Mr.Kiran Bapat for the Respondent.

...

CORAM : A.P.SHAH &
DR.D.Y.CHANDRACHUD, JJ.
9th August, 2005.

P.C. :

Heard advocates. There shall be interim stay of the directions contained in the bracketed portion of Clause (iii) and (iv) of the operative order or the Learned Single Judge, which read as

under:

> "iii] The terms and conditions of service of the 11 transferred employees will remain the same as they were in Mumbai including wages, allowances and other monetary benefits, (hours of work and rest intervals, leave and holidays, shift working, classification, customary concessions or privileges and rules of discipline.)
>
> vi] The Industrial Court shall dispose of the complaint within three months from today. (In the event the Industrial Court does not dispose of the complaint within three months, any further transfers would be made by the employer subject to such permission being granted by the Industrial Court.)"

However, it is clarified that as far as working hours, rest intervals, leave and holidays, shift working, classification, customary concessions or privileges and rules of discipline are concerned, the workers shall be governed by the service conditions of Delhi employees and the relevant statutes applicable to such employees.

The Civil Application is disposed of.